

JAMES E. JOHNSON
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

KATHLEEN D. REILLY
Assistant Corporation Counsel
phone: (212) 356-2663
fax: (212) 356-3558
e-mail: kareilly@law.nyc.gov

April 8, 2021

BY ECF

Honorable Katharine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Shaquille Dinkins v. City of New York, et al.,
19 Civ. 2336 (GBD) (KHP)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to the defense of the above-referenced matter. Pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure, Defendants write to respectfully request the Court grant defendants leave to depose Plaintiff. As plaintiff is currently incarcerated and proceeding pro se, this application for is made directly to the Court.

As Plaintiff is currently incarcerated at Wende Correctional Facility, Defendants require leave of the Court to take the deposition on April 27, 2021 in accordance with FED. R. CIV. P. 30(a)(2)(B). Furthermore, in order for Plaintiff to appear, Defendants must obtain an Order from the Court permitting Plaintiff to be produced for the deposition. Defendants have attached a proposed Order related to this application for Your Honor's review and endorsement. Defendants are serving Plaintiff with a Notice of Deposition concurrently herewith.

Accordingly, Defendants respectfully request that the Court: (1) grant Defendants leave to depose Plaintiff pursuant to Rule 30(a)(2)(B), and (2) endorse the proposed order for the Warden or other official in charge of Wende Correctional Facility to produce Plaintiff for his deposition on April 27, 2021, commencing at 9:30 a.m. Defendants thank the Court for its time and consideration of this matter.

Respectfully submitted,

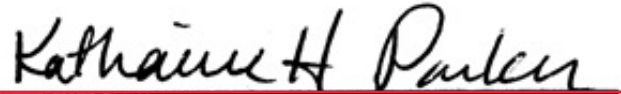
Kathleen D. Reilly

Kathleen D. Reilly¹
Assistant Corporation Counsel

cc: **By First Class Mail**
Shaquille Dinkins, *Plaintiff pro se*
DIN: 19A2359
Wende Correctional Facility
3040 Wende Road
Alden, New York 14004-1187

APPLICATION GRANTED: The Clerk of Court is directed to mail a copy of this endorsement and the attached Order to the Plaintiff.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

04/08/2021

¹ This case has been assigned to Assistant Corporation Counsel Aaron Davison, who passed the New York State Bar Exam and is presently applying for admission. Mr. Davison is handling this matter under supervision and may be reached at (646) 988-3220 or adavison@law.nyc.gov.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SHAQUILLE DINKINS,

Plaintiff,

-against-

CITY OF NEW YORK, ET AL.,

Defendants.

**[PROPOSED] ORDER TO
PRODUCE INMATE FOR
DEPOSITION**

19 Civ. 2336 (GBD) (KHP)

----- X
**HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE**

Upon the application of defendants for leave to take the deposition of plaintiff Shaquille Dinkins, DIN #19-A-2359, an inmate within Wende Correctional Facility, the Court having granted leave for the taking of plaintiff's deposition pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure:

IT IS HEREBY ORDERED: that the Superintendent or other official in charge of the Wende Correctional Facility, located at 3040 Wende Road, Alden, NY 14004, produce inmate Shaquille Dinkins, DIN #19-A-2359, at a location within the facility for the taking of his deposition by video teleconference on April 27, 2021, at 9:30 a.m. and for so long thereafter as the deposition continues, and that plaintiff appear in such place as designated by the Superintendent or other official in charge of Auburn Correctional Facility, so that his deposition may be taken.

Dated: New York, New York
April 8, 2021



HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE